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**FEB 28 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Richard DeGreef :  
Application No. 10/780,780 : DECISION ON PETITION  
Filed: 18 February, 2004 :  
For: SEWER GRATE LOCKING :  
MECHANISM AND METHOD OF :  
INSTALLING SAME :

This is a decision on the petition filed on 28 August, 2006,  
under 37 CFR 1.137(b),<sup>1</sup> to revive the above-identified  
application.

The petition is **GRANTED**.

The application became abandoned on 4 August, 2006, for failure  
to timely submit the issue and publication fees in response to  
the Notice of Allowance and Fee(s) Due mailed on 3 May, 2006,

<sup>1</sup> Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay  
in reply was unintentional, a petition may be filed to revive an abandoned application or a  
lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37  
CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application  
abandoned for failure to prosecute, the required reply may be met by the filing of a continuing  
application. In a nonprovisional utility or plant application filed on or after June 8, 1995,  
and abandoned for failure to prosecute, the required reply may also be met by the filing of a  
request for continuing examination in compliance with § 1.114. In an application or patent,  
abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply  
must be the payment of the issue fee or any outstanding balance thereof. In an application,  
abandoned for failure to pay the publication fee, the required reply must include payment of the  
publication fee.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for  
the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.  
The Commissioner may require additional information where there is a question whether the delay  
was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to  
37 CFR 1.137(c)).

which set a three (3) month statutory period for reply. The filing of the present petition precedes the mailing of Notice of Abandonment.

The address in the petition is different than the correspondence address. A courtesy copy of this decision is being mailed to the address in the petition. All future correspondence, however, will be mailed solely to the address of record.

This application is being referred to the Publishing Division for processing into a patent.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.



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